

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD LEBRON,

Plaintiff,

-against-

RAUL RAMOS, M.D., Sight Medical Director, North Infirmary Command; WOLF, Registered Nurse, Hemodialysis Nurse, North Infirmary Command; CORREA, correction Officer, North Infirmary Command; NWAGWU, Correction Officer, North Infirmary Command,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 12/4/2020

1:19-cv-2598-MKV

ORDER GRANTING
MOTION TO WITHDRAW

MARY KAY VYSKOCIL, United States District Judge:

On October 29, 2020, Plaintiff's counsel filed a letter motion to withdraw as counsel [ECF No. 47]. On November 19, 2020, Plaintiff's counsel filed a second letter requesting an update on the status of the letter motion [ECF No. 48]. In the second letter, Plaintiff's counsel represented that Defendants consent to the withdrawal of Plaintiff's counsel.

On November 24, 2020, the Court denied the letter motion without prejudice for failure to comply with Local Rule 1.4 [ECF No. 49]. The Court granted Plaintiff's counsel leave to file a formal motion with an affidavit that satisfies the requirements of Local Rule 1.4 and a memorandum of law in support of the motion.

On November 30, 2020, Plaintiff's counsel filed a formal motion to withdraw [ECF No. 52] with a supporting memorandum of law [ECF No. 52-1] and an *ex parte* supporting affidavit [ECF No. 51], with a corresponding letter motion to seal the affidavit [ECF No. 50]. The affidavit was filed *ex parte* because, as Plaintiff's counsel stated, it "contains information that could be potentially prejudicial to Plaintiff's claims" [ECF No. 50].

The Court has carefully reviewed the materials submitted by Plaintiff's counsel. Given Defendants' consent to the motion and the grounds for the motion articulated in the *ex parte* affidavit, the Court GRANTS the motion to withdraw [ECF No. 52]. The Court also GRANTS the letter motion to seal the Affidavit of Caitlin Robin [ECF No. 50].

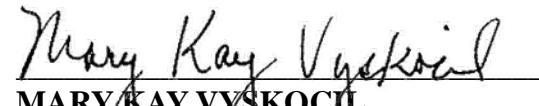
Plaintiff shall file a letter on or before January 6, 2021, advising the Court whether he has retained substitute counsel or whether he will proceed *pro se*.

Failure to comply with this Order and the deadline herein may result in sanctions, including the preclusion or dismissal of claims.

The Clerk of Court is respectfully requested to terminate docket entries 50 and 52 and mail a copy of this Order to the *pro se* Plaintiff at the address of record.

SO ORDERED.

Date: December 4, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge